

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BETA SOFT SYSTEMS, INC.,  
Plaintiff,  
v.  
MODIS, INC.,  
Defendant.

Case No. [14-cv-05169-RS](#)

**CASE MANAGEMENT SCHEDULING  
ORDER**

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on February 19, 2015. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

MEDIATION: The parties are hereby REFERRED to the court's ADR department for the purpose of engaging in mediation to take place, ideally, within the next 120 days.

2. DISCOVERY.

On or before September 14, 2015, all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable number of requests for production of documents or for inspection per party; and (d) a reasonable number of requests for admission per party.

3. DISCOVERY DISPUTES.

Discovery disputes will be referred to a Magistrate Judge. After the parties have met and conferred, the parties shall prepare a joint letter of not more than 8 pages explaining the dispute. Up to 12 pages of attachments may be added. The joint letter must be electronically filed under

the Civil Events category of "Motions and Related Filings >Motions--General > Discovery Letter Brief." The Magistrate Judge to whom the matter is assigned will advise the parties of how that Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal briefing, or set a telephone conference or a hearing. After a Magistrate Judge has been assigned, all further discovery matters shall be filed pursuant to that Judge's procedures.

4. EXPERT WITNESSES.

The disclosure and discovery of expert witnesses shall proceed as follows:

- a. On or before July 30, 2015, the parties will designate experts in accordance with Federal Rule of Civil Procedure 26(a)(2).
- b. On or before August 27, 2015, the parties will designate their supplemental and rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2).
- c. On or before September 14, 2015, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.

5. FURTHER CASE MANAGEMENT CONFERENCE.

A Further Case Management Conference shall be held on **August 20, 2015 at 10:00 a.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management Statement at least one week prior to the Conference.

6. PRETRIAL MOTIONS.

All dispositive pretrial motions must be filed and served pursuant to Civil Local Rule 7. Each party is limited to one motion for summary judgment absent leave of Court. All pretrial motions shall be heard no later than October 15, 2015.

7. PRETRIAL CONFERENCE.

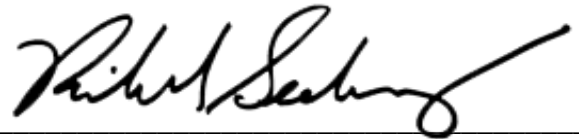
The final pretrial conference will be held on **January 28, 2016 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend personally.

8. TRIAL DATE.

A jury trial shall commence on **February 22, 2016 at 9:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

**IT IS SO ORDERED.**

Dated: February 19, 2015



RICHARD SEEBORG  
United States District Judge

United States District Court  
Northern District of California